

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. John Roberts

Docket No. 4:15-CR-3-1BO

Petition for Action on Probation

COMES NOW Melissa K. Gonigam, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of John Roberts, who, upon an earlier plea of guilty to Lacey Act Trafficking Violation, in violation of 16 U.S.C. § 3372(a)(1), 16 U.S.C. § 3373(d)(1)(B), and 50 C.F.R. Parts 697.7(b)(1), (2), (3), and (4), was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on August 23, 2017, to 3 years probation under the conditions adopted by the court.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

As a condition of supervision, the defendant was ordered to pay restitution in the amount of \$55,044.44 at a rate of \$500 per month to commence 30 days after placement on probation. Due to the defendant's employment as a commercial fisherman, he believes he will be incapable of making this payment on a consistent basis. After reviewing the defendant's financial status, a reduction of the monthly payment to \$100 appears appropriate.

Additionally, on September 15, 2017, Roberts submitted to urinalysis that tested positive for cocaine. He signed an admission form indicating that he used cocaine on September 14, 2017.

As a sanction for the violation, the probation officer recommends the conditions of probation be modified to include the DROPS Program at the second use level and substance abuse treatment. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. Restitution shall be paid in installments of \$100 per month, beginning October 6, 2017, and each month thereafter until paid in full.
2. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days; The defendant shall begin the DROPS Program in the second use level.
3. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

Except as herein modified, the judgment shall remain in full force and effect.

John Roberts
Docket No. 4:15-CR-3-1BO
Petition For Action
Page 2

Reviewed and approved,

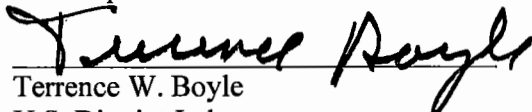
I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

/s/ Melissa K. Gonigam
Melissa K. Gonigam
U.S. Probation Officer
201 South Evans Street, Rm 214
Greenville, NC 27858-1137
Phone: (252) 830-2345
Executed On: September 21, 2017

ORDER OF THE COURT

Considered and ordered this 22 day of September, 2017, and ordered filed and
made a part of the records in the above case.


Terrence W. Boyle
U.S. District Judge